

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:  ISMAEL RODRIGUEZ CANDELARIO  DEBTOR(S)	CASE NUMBER: 10-06394 ESL  CHAPTER 13 ASSET CASE
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DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. Debtor's wife died and he had some extraordinary expenses plus los of income died to the passing away of his wife.

3. Debtor (s) amend plan call three (3) payments of \$300.00, one (1) payment of \$0.00, one (1) payment of \$300.00, one (1) payment of \$0.00, one payment of \$320.00, one (1) payments of \$0.00 and fifty (50) payment of 240.00 for a total base of \$13,745.00 dollars with a provision for the payment to paid secured arrears to Doral Financial, account ending number-3582 and Doral Financial, account ending number-3583.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

**NOTICE**

"Parties in interest are notified the have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificated of service by the movant that adequate notice was given. Should and apposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 20<sup>th</sup>, day of May 2011.

**RESPECTFULLY SUBMITTED.**

**/s/ Marilyn Valdes Ortega**  
**MARILYN VALDES ORTEGA**

USDC PR 214711  
P.O. Box 19559  
San Juan, PR 00919-5596  
Tel. (787) 758-4400  
Fax. (787) 763-0144  
E-mail valdeslaw@prtc.net

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. 10-06394 ESL

RODRIGUEZ CANDELARIO, ISMAEL

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED:

☒ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: 5/20/2011

Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 300.00 x 3 = \$ 900.00  
\$ 0.00 x 1 = \$ 0.00  
\$ 300.00 x 1 = \$ 300.00  
\$ 0.00 x 1 = \$ 0.00  
\$ 320.00 x 1 = \$ 320.00  
See attachment

TOTAL: \$ 13,745.00

Additional Payments:

\$ to be paid as a LUMP SUM  
within with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in  
addition to the above:

\$ x = \$

PROPOSED BASE: \$ 13,745.00

III. ATTORNEY'S FEES

(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ 2,954.00

Additional Fees 350.00  
Balance \$3,304.00

Signed: /s/ RODRIGUEZ CANDELARIO, ISMAEL  
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. DORAL FINANCIAL (Cr. DORAL FINANCIAL (Cr.

# 3582 # 3583

\$ 5,845.00 \$ 2,022.00

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. Cr. Cr.

# # #

\$ \$ \$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. Cr. Cr.

# # #

\$ \$ \$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

DORAL FINANCIAL ( DORAL FINANCIAL (

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr. Cr. Cr.

# # #

\$ \$ \$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR  
PRIORITY CREDITOR.

DEBTOR'S ONLY INCOME IS FROM SOCIAL SECURITY THEREFORE NO  
CHRISTMAS BONUS IS RECEIVED NOR ANY TAX RETURNS.

Additional payments schedules

\$ 0.00	x 1 =	<u>\$ 0.00</u>
\$225.00	x 1 =	<u>\$ 225.00</u>
\$ 0.00	x 1 =	<u>\$ 0.00</u>
\$240.00	x 50 =	<u>\$12,000.00</u>
Total:		<u>\$12,225.00</u>

**I HEREBY CERTIFY:** That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

**10-06394-ESL13 Notice will be electronically mailed to:**

JOSE RAMON CARRION MORALES  
newecfmail@ch13-pr.com

MONSITA LECAROS ARRIBAS  
ustpreregion21.hr.ecf@usdoj.gov

MARILYN VALDES ORTEGA on behalf of Debtor MILDRED FIGUERAS FIGUEROA  
valdeslaw@prtc.net

**I HEREBY CERTIFY:** That I have mailed by regular mail to all creditors listed.

**10-06394-ESL13 Notice will not be electronically mailed to:**

ASSOCIATES FINANCE BANKRUPTCY  
PO BOX 1616  
BAYAMON, PR 00960

FEDERAL LITIGATION DEPT OF JUSTICE  
PO BOX 9020192  
SAN JUAN, PR 00902-0192

BANCO POPULAR DE PR  
PO BOX 36-6818  
SAN JUAN, PR 00936-6818

FIRST NATIONAL BANK  
B LINE LLC  
2101 4TH AVE STE 900  
SEATTLE, WA 98121

BBVA BANCO  
PO BOX 71113  
SAN JUAN, PR 00936-1113

MBNA  
PO BOX 15019  
WILLMINGTON, DE 19886-5019

CITIBANK  
PO BOX 6003  
HAGERSTOWN, MD 21747-6003

NCO FINANCIAL SYSTEMS OF PUERTO  
RICO  
PO BOX 192478  
HATO REY, PR 00918

COMMOLOCO  
PO BOX 1886  
CAROLINA, PR 00984-1886

PUERTO RICO TELEPHONE COMPANY  
PO BOX 360998  
SAN JUAN, PR 00936

DEPARTAMENTO DE HACIENDA  
PO BOX 9024140  
OFICINA 424 B  
SAN JUAN, PR 00902-4140

VERIZON WIRELESS  
BANKRUPTCY DEPARTMENT  
PO BOX 3397  
BLOOMINGTON, IL 61702

DEPARTAMENTO DEL TRABAJO  
AVE. MUÑOZ RIVERA 505  
HATO REY, PR 00918

WESTERN AUTO  
PO BOX 609  
MEMPHIS, TN 38101-0609

DORAL FINANCIAL CORPORATION  
PO BOX 71529  
SAN JUAN, PR 00936-8629